

**Schedule 4(b)**

**Notice of Non-Voting Status (Deemed to Accept)**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.<sup>1</sup>

PROMESA  
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE PUERTO RICO HIGHWAYS AND  
TRANSPORTATION AUTHORITY,

Debtor.

PROMESA  
Title III

No. 17 BK 3567-LTS

**NOTICE OF NON-VOTING STATUS (CLASS ) – DEEMED TO ACCEPT**

**PLEASE TAKE NOTICE THAT** on [●], 2022, the United States District Court for the District of Puerto Rico approved the *Disclosure Statement for the Third Amended Title III Plan of*

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

*Adjustment of the Puerto Rico Highways and Transportation Authority*, dated June 17, 2022 (as the same may be amended or modified, including all exhibits and attachments thereto, the “Disclosure Statement”) [ECF No. \_\_\_\_], filed by the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as representative of the Puerto Rico Highways and Transportation Authority (“HTA” or the “Debtor”), pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),<sup>2</sup> for use in soliciting acceptances or rejections of the *Third Amended Title III Plan of Adjustment of the Puerto Rico Highways and Transportation Authority*, dated June 17, 2022 (as the same may be amended or modified, the “Plan”) [ECF No. \_\_\_\_], from the holders of impaired Claims who are (or may be) entitled to receive distributions under the Plan.

**UNDER THE TERMS OF THE PLAN, YOUR CLAIM(S) AGAINST THE DEBTOR ARE UNIMPAIRED. THEREFORE, PURSUANT TO SECTION 1126(f) OF THE BANKRUPTCY CODE, YOU ARE (I) DEEMED TO HAVE ACCEPTED THE PLAN, AND (II) NOT ENTITLED TO VOTE ON THE PLAN.**

***Confirmation Hearing.*** A hearing to consider confirmation of the Plan (the “Confirmation Hearing”) will be held before The Honorable Laura Taylor Swain, United States District Court Judge, at the United States District Court for the District of Puerto Rico, Clemente Ruiz Nazario United States Courthouse, 150 Carlos Chardón Avenue, San Juan, P.R. 00918-1767 (or as otherwise provided pursuant to an order of the Court) on August 17–18, 2022 at 9:30 a.m. (Atlantic Standard Time).

***Confirmation Objection Deadline.*** The Court has established 5:00 p.m. (Atlantic Standard Time) on July 27, 2022, as the deadline to file objections or responses to confirmation

---

<sup>2</sup> PROMESA is codified at 48 U.S.C. §§ 2101-2241.

of the proposed Plan. Parties who do not file an objection to the Plan prior to the Confirmation Objection Deadline will be prohibited from making an oral presentation before the Court at the Confirmation Hearing.

***Plan Confirmation Depository.*** Information relating to confirmation of the Plan is available online in the Plan Confirmation Depository at [titleiiiplandataroom.com](http://titleiiiplandataroom.com).

***Procedures for Filing Objections and Responses to Confirmation.*** Objections and responses to confirmation of the Plan must:

- a. Be in writing, in English, and signed;
- b. State the name, address, and nature of the Claim of the objecting or responding party;
- c. State with particularity the basis and nature of any objection or response and include, where appropriate, proposed language to be inserted in the Plan to resolve any such objection or response;
- d. Be filed electronically with the Court on the dockets of (i) *In re Puerto Rico Highways and Transportation Authority*, Case No. 17 BK 3567-LTS and (ii) *In re Commonwealth of Puerto Rico*, Case No. 17 BK 3283-LTS, through the Court's case filing system in searchable portable document format on or July 27, 2022 at 5:00 p.m. (Atlantic Standard Time).
  - i. If you are not an attorney who is a registered user of the Court's case filing system, you may instead mail your objection to the Court's Clerk's office at:

United States District Court, Clerk's Office  
150 Ave. Carlos Chardon Ste. 150,  
San Juan, P.R. 00918-1767

so as to be received on or before July 27, 2022 at 5:00 p.m. (Atlantic Standard Time), and

- e. be served upon the Office of the United States Trustee for the District of Puerto Rico, Edificio Ochoa, 500 Tanca Street, Suite 301, San Juan, PR 00901 (re: *In re: Puerto Rico Highways and Transportation Authority*) so as to be received on or before the Confirmation Objection Deadline.

**IF YOU HAVE ANY QUESTIONS ABOUT THE STATUS OF YOUR CLAIM(S)  
OR WANT TO REQUEST A COPY OF THE PLAN AND/OR DISCLOSURE**

**STATEMENT, PLEASE CONTACT THE DEBTOR'S BALLOTING AGENT, KROLL  
RESTRUCTURING ADMINISTRATION LLC BY (I) FIRST CLASS MAIL OR  
OVERNIGHT COURIER AT PUERTO RICO BALLOT PROCESSING, C/O KROLL  
RESTRUCTURING ADMINISTRATION LLC (F/K/A PRIME CLERK LLC), 850 THIRD  
AVENUE, SUITE 412, BROOKLYN, NY 11232; (II) TELEPHONE AT (844) 822-9231  
(TOLL FREE FOR U.S. AND PUERTO RICO) OR (646) 486-7944 (FOR  
INTERNATIONAL CALLERS), AVAILABLE 10:00 A.M. TO 7:00 P.M. (ATLANTIC  
STANDARD TIME) (SPANISH AVAILABLE), OR (III) EMAIL AT  
PUERTORICOINFO@PRIMECLERK.COM.**

Dated: \_\_\_\_\_, 2022  
San Juan, Puerto Rico

/s/ \_\_\_\_\_

Martin J. Bienenstock (*pro hac vice*)  
Brian S. Rosen (*pro hac vice*)  
PROSKAUER ROSE LLP  
Eleven Times Square  
New York, NY 10036

*Attorneys for the Financial Oversight and  
Management Board as representative for the  
Debtor*

/s/ \_\_\_\_\_

Hermann D. Bauer  
USDC No. 215205  
O'NEILL & BORGES LLC  
250 Muñoz Rivera Ave., Suite 800  
San Juan, PR 00918-1813

*Co-Attorneys for the Financial Oversight and  
Management Board as representative for the  
Debtor*